

**To:** Jenkins, Laura Flynn[Jenkins.Laura@epa.gov]  
**From:** McClain-Vanderpool, Lisa  
**Sent:** Thur 8/13/2015 10:59:25 PM  
**Subject:** RE: IMMEDIATE ATTENTION REQUIRED: Possible Japanese Ag Import Ban

We need to know who is responding to what. This went to the proper people earlier by Rich.

Lisa McClain-Vanderpool

Public Affairs Specialist/Media Officer

Office of Communications and Public Involvement

US Environmental Protection Agency, Region 8

1595 Wynkoop Street

Denver, Colorado 80202

Office 303.312.6077

Cell 303.501.4027

**From:** Jenkins, Laura Flynn  
**Sent:** Thursday, August 13, 2015 4:53 PM  
**To:** Smith, Paula  
**Cc:** Perrin, Rebecca; Mylott, Richard; McClain-Vanderpool, Lisa; Press; EOC Public Information; Lin, Moya  
**Subject:** IMMEDIATE ATTENTION REQUIRED: Possible Japanese Ag Import Ban  
**Importance:** High

Paula:

Can you please help get this to the correct person/group in the Unified Command?

USDA and FDA have been contacted by the Japanese government regarding a potential ban on agricultural imports from areas impacted by the mine release. I brought Rebecca Perrin into the loop and she asked that I get the info below into the correct hands in the Unified Command ASAP.

Rebecca offered to provide additional information regarding the implications of Japan's possible import ban as well as suggestions on how to ensure that accurate information reaches the Japanese government in a timely manner. She has contacts at the State Ag agencies, as well as other Ag contacts at EPA, who are also available to assist. Her contact information is highlight below.

Laura Jenkins

Media Officer

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Fax: 303-312-6961

**From:** Perrin, Rebecca  
**Sent:** Thursday, August 13, 2015 4:00 PM  
**To:** Jenkins, Laura Flynn  
**Subject:** RE: NEEDS QUICK RESPONSE PLEASE  
**Importance:** High

Laura,

Thank you for sending me this info. I agree this is an URGENT and potentially expensive situation. The problem with these situations is that they not only impact the producers who may have an issue but any producers around them. Because the situation is based upon public perception, so if we do not assure people that the food is safe because of the measures taken to not expose it then others could end up expanding the area of food to avoid to the entire state. I know it seems ridiculous but sadly there are examples of this in the food industry all the time.

I **strongly recommend** that we work with the Departments of agriculture in UT, CO and NM to address the Japanese governments concerns and preemptive block of products produced from these waters, specifically (irrigation of crops, hatcheries/fisheries, and municipal water systems that may feed into food production/products). Providing the Japanese enough information to limit the scope or prevent this preemptive block is critical. All three of these States have divisions that market agricultural products from beef to jam locally, nationally and internationally. These Department also do trade missions and address food safety concerns. (i.e. CO dealt with the listeria outbreak of cantaloupe from the Rocky Ford area.) The state governments have experience with these kind of issues and requests. USDA can also be helpful in crafting a response. Get them engaged ASAP.

I believe we also need more information from USDA Foreign Ag Service, but the states may have additional questions:

/□□□□□□□□ Has the Japanese government made their announcement? If not, when do we anticipate their announcement?

/□□□□□□□□ Regarding the scope of their request, it is pretty broad, was there something in particular they were concerned about? Need to make sure we fully understand their request.

/□□□□□□□□ Looks like they reached out to FDA and received a response. Have they provided that to the Japanese government? If so, did it satisfy them or do they need more?

The questions below are what I thought of off the top of my head to help us figure out if the irrigated crops, fish, or any processed product from this area could get into a commerce stream and reach Japan or not. If no product can reach Japan, then they really do not need to block products from the US. If there are products that could reach them, then we need to create statements that address their food safety concerns.

Questions off the top of my head based upon categories listed in the email below (states may have more question or be able to answer these questions):

/□□□□□□□□ Irrigation of Crops:

- o Were all the irrigation intakes along the river (ditch companies and private) closed prior to the wastewater reaching any farm operations?
- o Have any crops been irrigated since the mine wastewater release?
- o If crops have been irrigated, where did the water come from (spring, well, etc.)?

- o If so, what kinds of crops were irrigated?
- o If so, where does the farmer plan to sell their crop? Will it be processed into jam, sauces, etc.? Will it be used for livestock feed? Will it be sold at a farmers market or to a distributor?
- o Have they sold any of their crops or the products produced (after the spill) from their crops?

□□□□□□□ Hatcheries/fisheries:

- o I am going to send a separate email about the current status of aquaculture in this area and possible contacts to track down more information.
- o How many hatcheries and aquaculture operations are along the river or in the watershed?
- o Where do they get their water from: river, spring or well?
- o If they are using a well or spring, is their well located within the 1 mile of the river? (We are testing water quality at wells within 1 mile for human consumption.)
- o What kind of system do they have: flow through or recirculation? How is their water supply? Will they be needing additional water at their operations to keep the fish healthy and alive?
- o Is their operation for the sale of recreational fish only or do they raise fish for human consumption?
- o If they sell fish for human consumption? Do they sell it to restaurants directly or for processing?
- o If they sell fish for processing? Have they sold any fish since the spill? If so, what processing facility? Basically we need to find out if the irrigated crops are in the commerce stream since the spill to determine if they could even reach Japan or not.

□□□□□□□ Food products produced:

- o Are there any businesses that process plants or animals to make products that are distributed internationally along the river?
- o If the answer is yes, then where does their water come from? Municipal or well?
- o If well, is the well located within 1 mile of the river?
- o If so, have they made any products since the release?

Finally, this broad request does not appear to include livestock, which is a good thing. However, we should be prepared to answer questions related to livestock too. Cattle is the predominate agricultural commodity in this area and beef prices are pretty high right now. If we even get a

hint that the Japanese are thinking beef as well, that could make this issue even worse.

Chris Wiseman, the Deputy Commissioner of Agriculture is in Durango through tomorrow. The ag contact in the command center needs to bring him into this conversation ASAP. He can help us craft a response. We need to take advantage of him being there. He can be reached at 719-924-0151. He will know who to reach in the other two states and USDA.

Please let me know if I can be of any other assistance.

Rebecca Perrin

Region 8 Agriculture Advisor | Office of the Regional Administrator | USEPA

1595 Wynkoop Street | Denver CO 80202 | DL: 303-312-6311 | FAX: 303-312-6882

**From:** Jenkins, Laura Flynn  
**Sent:** Thursday, August 13, 2015 1:34 PM  
**To:** Perrin, Rebecca  
**Subject:** FW: NEEDS QUICK RESPONSE PLEASE

Laura Jenkins

Media Officer

USEPA-Region 8

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**From:** Jenkins, Laura Flynn

**Sent:** Thursday, August 13, 2015 12:50 PM

**To:** Daguillard, Robert; Colaizzi, Jennifer C.; EOC Public Information; Press

**Cc:** Mylott, Richard

**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

This is from USDA. They're asking for a POC because Japan is concerned about safety of food from impacted areas and may ban all products (SEE BELOW). ***This is extremely important to address ASAP.***

"Japan's MHLW is concerned about the safety of food produced near the Animas River and beyond, so they may be issuing a press release which may ban all products produced near the affected region. My friend would like to talk to someone who can tell him the extent of the damage and what the potential effect this will have on agriculture, fish, and other trade products."

Rich Mylott has provided some preliminary information but this definitely warrants a timely response.

Laura Jenkins

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**From:** Daguillard, Robert  
**Sent:** Thursday, August 13, 2015 12:43 PM  
**To:** Jenkins, Laura Flynn; Colaizzi, Jennifer C.; EOC Public Information  
**Cc:** Mylott, Richard  
**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

Well, I see references to USDA, FDA and "multiple sources." Is this a media inquiry?

Not to say we shouldn't respond as fast as possible, but what's the process for non-media queries?

**From:** Jenkins, Laura Flynn  
**Sent:** Thursday, August 13, 2015 2:39 PM  
**To:** Daguillard, Robert; Colaizzi, Jennifer C.; EOC Public Information  
**Cc:** Mylott, Richard  
**Subject:** FW: NEEDS QUICK RESPONSE PLEASE

Robert and Jennifer:

Wanted to be sure you saw this. Different versions of this same request have come in through multiple sources so please make sure this is responded to quickly.

Thanks,

Laura Jenkins

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1595 Wynkoop St.

Mailcode: 8-OC

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Cell: 202-360-8453

Fax: 303-312-6961

**From:** Mylott, Richard

**Sent:** Thursday, August 13, 2015 12:34 PM

**To:** Lee, Monica; Harrison, Melissa; Hull, George; Daguiard, Robert; Colaizzi, Jennifer C.; StClair, Christie; Ostrander, David; McKean, Deborah; Peterson, Cynthia; Card, Joan

**Cc:** Smith, Paula; McClain-Vanderpool, Lisa; Russo, Rebecca; Jenkins, Laura Flynn

**Subject:** FW: NEEDS QUICK RESPONSE PLEASE

Fyi, this would seem to be a high priority for response as it has to do with incomings to USDA re: a potential ban of food products in Japan from the Animas River watershed.

**From:** Davis, Tim

**Sent:** Thursday, August 13, 2015 12:29 PM

**To:** Russo, Rebecca; Smith, Paula; Mylott, Richard

**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

Wow, I'm not sure! Rich, who would you recommend? Everyone's absolutely swamped, so I'm not sure whom to suggest they contact.

**From:** Russo, Rebecca

**Sent:** Thursday, August 13, 2015 12:18 PM

**To:** Smith, Paula

**Cc:** Davis, Tim

**Subject:** NEEDS QUICK RESPONSE PLEASE

Because of the mention below about the issuance of a press release that may ban all products produced near the Animas, this one needs more of a direct response than sending them to the website or call-line.

Who can I send them to?

Thanks.

Rebecca A. Russo

Region 8 Congressional and Intergovernmental Liaison

Office: 303-312-6757

Cell: 303-204-1930

**From:** Lin, Moye

**Sent:** Thursday, August 13, 2015 12:14 PM

**To:** Russo, Rebecca; Davis, Tim

**Subject:** FW: MHLW's measure - waste water spill in Colorado

Hi Rebecca and Tim,

I received an email from a friend of mine who works at the USDA and he would like to know if we can give him a point of contact to request information about the Gold King Mine spill. I was told to send inquiries to Rich Mylott or Laura Flynn, but they are both out of the office. My friend needs a quick turnaround on this, so do you know who I can send his inquiry to?

Japan's MHLW is concerned about the safety of food produced near the Animas River and beyond, so they may be issuing a press release which may ban all products produced near the affected region. My friend would like to talk to someone who can tell him the extent of the damage and what the potential effect this will have on agriculture, fish, and other trade products.

Thanks,

\*\*\*\*\*

Moye Lin

USEPA, Region 8

Resource Conservation and Recovery Program, 8P-R

1595 Wynkoop St.

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Direct: 303-312-6667



Fax: 303-312-6341



**From:** Wu, Chih-Yung - FAS [<mailto:Chih-Yung.Wu@fas.usda.gov>]

**Sent:** Thursday, August 13, 2015 11:27 AM

**To:** Lin, Moye

**Subject:** FW: MHLW's measure - waste water spill in Colorado

**Importance:** High

Just FYI- Finally got a response from FDA. You can attach this to the message to the relevant EPA folks.

CYW

**From:** Ross, Bruce [<mailto:Bruce.Ross@fda.hhs.gov>]

**Sent:** Thursday, August 13, 2015 1:08 PM

**To:** Okumura, Kazuhiro; Wu, Chih-Yung - FAS

**Cc:** Read, Jeffrey; Taveau, Daniella; Paulson, Jess - FAS; Taylor, Trip- FAS; [Davidp.Kelly@fda.hhs.gov](mailto:Davidp.Kelly@fda.hhs.gov); Ferus, Anna; Hashemi, Sema; Norris, Gary

**Subject:** RE: MHLW's measure - waste water spill in Colorado

Kaz and Chih:

And to those on the cc-line: Greetings from Washington DC and FDA/ORA...

In response to your query for more information on the subject spill into the Animas River in Colorado last week. I can share the following information with you:

FDA assessment of regulated firms in areas affected by the wastewater spill into the Animas River continues. No FDA regulated products have been found to date which were exposed to potentially contaminated water from the spill.

FDA's District Office in Denver and the Office Crisis Management continue to monitor the situation as it unfolds, but to date, no FDA regulated commodities or facilities have been impacted nor does it appear that any FDA-regulated commodities were exported internationally.

If anything changes on this front we shall communicate back to the group as needed.

Warm regards,

Bruce

Bruce Ross, M.A., M.P.H.

International Programs  
Office of Regulatory Affairs  
Food & Drug Administration (FDA)  
10903 New Hampshire Avenue  
Silver Spring, MD 20993-0002

240.402.2866  | [Bruce.Ross@fda.hhs.gov](mailto:Bruce.Ross@fda.hhs.gov)



**From:** Wu, Chih-Yung - FAS  
**Sent:** Thursday, August 13, 2015 1:25 PM  
**To:** Lin, Moya  
**Subject:** FW: MHLW's measure - waste water spill in Colorado  
**Importance:** High

Dear Moya-

This is the request from our ADA I send to FDA and EPA HQ OPPTS yesterday but they have not chimed back. (Apologies if this may be a duplicate message to R8) So, as you can below from the email chain, the question we have received from our US Embassy colleagues in Tokyo is concerning the extent of damage on to US ag products from the Animas waste water spill. Japan's MHLW is concerned and is probably going to issue a press release banning any products produced near or within these waters.

Please send this message to the appropriate folks and communications office in Region 8. The request came yesterday and they were demanding an answer by COB .... But we know a 12 hr turn around was not possible since R8 is probably still working on crafting the public message. We do need to have something as soon as possible.

If you have any further questions, please contact me directly.

Cheers,

\*\*\*\*\*

Chih-Yung Wu 吳志勇

International Trade Specialist

Processed Products & Technical Regulations Div.

USDA Foreign Agriculture Service/OASA

1400 Independence Ave. S.W. (Rm. 5532)

Washington D.C. 20250-1027

Phone: 202.720.9058

Fax: 202.690.0677

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FAS Website: [www.fas.usda.gov](http://www.fas.usda.gov)

PPTRD page: [http://www.fas.usda.gov/itp/OSTA\\_PPTRD/PPTRD.asp](http://www.fas.usda.gov/itp/OSTA_PPTRD/PPTRD.asp)



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**From:** Wu, Chih-Yung - FAS  
**Sent:** Wednesday, August 12, 2015 1:31 PM  
**To:** Read, Jeffrey; Taveau, Daniella  
**Subject:** FW: MHLW's measure - waste water spill in Colorado

Jeff/Daniella-

I hope both of you have been well and enjoying the summer heat. We received a request from the Japanese Government concerning the recent wastewater spill in Colorado. They need to know what the potential effect this will have on agriculture, fish, and other trade products. I believe Japan is ramping up an announcement that will block any U.S. product that is produced from these waters. (irrigation of crops, hatcheries/fisheries, and municipal water systems that may feed into food production/products). They want to consider this information for their decision making process and possibly limit the scope of the announcement.

So, what we need to provide for MHLW is how FDA might take action with implications

to the food supply and what EPA knows about how much agriculture will be affected.

Cheers,

\*\*\*\*\*

Chih-Yung Wu 吳志勇

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FAS Website: [www.fas.usda.gov](http://www.fas.usda.gov)

PPTRD page: [http://www.fas.usda.gov/itp/OSTA\\_PPTRD/PPTRD.asp](http://www.fas.usda.gov/itp/OSTA_PPTRD/PPTRD.asp)



**From:** Meyer, Gary - FAS

**Sent:** Wednesday, August 12, 2015 11:17 AM

**To:** Flemings, JonAnn - FAS

**Cc:** Voboril, Dennis - FAS; Macke, Robert - FAS; Ramos, Karina - FAS; Wu, Chih-Yung - FAS

**Subject:** RE: MHLW's measure - waste water spill in Colorado

I'm thinking FDA in the past has wrestled with the possibility of contaminated irrigation water or a similar environmental problem with implications for the food supply. They may have something off the shelf that would describe when and how they might take action. Such a protocol would a useful start for FAS/Tokyo in response to the MHLW inquiry.

We should also find the FDA point person for food-related questions about the Animas problem and what kind of actions are being undertaken now....even it's eagerly awaiting EPA testing results.

Appreciate PPTRD letting us know what they learn later today so Post has initial feedback tonight.

Many thanks.

Gary

**From:** Flemings, JonAnn - FAS  
**Sent:** Wednesday, August 12, 2015 10:15 AM  
**To:** Meyer, Gary - FAS  
**Subject:** FW: MHLW's measure - waste water spill in Colorado

**From:** Taylor, Trip- FAS  
**Sent:** Wednesday, August 12, 2015 10:12 AM  
**To:** Flemings, JonAnn - FAS; Rasmussen, Mark - FAS

**Cc:** Paulson, Jess - FAS; Autry, Elizabeth - FAS  
**Subject:** FW: MHLW's measure - waste water spill in Colorado

Hello JonAnn and Mark,

Please see the email from Jess Paulson at Tokyo Post below.

Japan's MHLW is seeking information about the potential scope of food products affected by the toxic spill in Colorado (eg fish, crops irrigated with tainted water, etc). There is concern that products from the region will be blocked from the Japanese market until their safety is proven.

We realize it's still very early in the process, but we would like to be proactive in communicating with MHLW to avoid excessive restrictions.

Obtaining this information will require communicating with the EPA, and potentially FDA and APHIS, among others.

We would like to request your assistance in obtaining the information requested by MHLW. Can you please help us with this?

Thank you very much,

**Trip Taylor**

Desk Officer: Japan, China, India, Australia, New Zealand, & Pacific Islands

Office of Country and Regional Affairs

Foreign Agricultural Service

U.S. Department of Agriculture

Phone: (202) 649-3874



**From:** Paulson, Jess K [<mailto:Jess.Paulson@fas.usda.gov>]  
**Sent:** Wednesday, August 12, 2015 1:24 AM  
**To:** Taylor, Trip- FAS (FSIS); Taylor, Trip- FAS  
**Cc:** Autry, Elizabeth - FAS  
**Subject:** FW: MHLW's measure - waste water spill in Colorado

Trip,

MHLW is planning to hold fish products from the Animas River in response to reports of the waste water spill in Colorado. The decision was shared with us informally and a formal announcement will be made soon. They've asked us to provide information on the scope of products that may be affected by the spill – especially how it may affect products that are not as easily recognizable as affected as fish from the river (horticulture irrigated with water that is drawn from areas impacted by the spill, for example).

MHLW would also consider information we provide for the purpose of limiting the scope of products that are held or blocked. An example they offered are fish that originate from the Animas River upstream from the spill, or possibly also areas that are irrigated from a different watershed.

Could you help us coordinate discussion of this topic and collection/clearance of information we could share with MHLW? I wonder who in DC would have the lead on this – fish, food safety, or plant-focused?

Thank you,

Jess

This email is UNCLASSIFIED.

**From:** Sato, Suguru

**Sent:** Wednesday, August 12, 2015 11:19 AM  
**To:** Autry, Elizabeth A; Paulson, Jess K  
**Subject:** MHLW's measure - waste water spill in Colorado

Beth-san and Jess-san,

MHLW has approached us regarding waste water spill from the suspended mine into Animas River, Colorado.

As safety concerns to fish in the affected region are already raised, MHLW just announced import officials that the fish harvested from Animas River (and its processed products) should be held in ports until its safety is confirmed.

The announcement was just released via email to Japanese port officials and not official document yet.

MHLW is also concerned if this waste water spill may affect any agricultural products and/or processed food in the region, e.g., through ground water or tap water. Any information of affected and non-affected region and/or products is appreciated so that MHLW does not have to expand the measure. Also, MHLW will consider to narrow the current measure if we can provide non-affected region. For instance, fish and its processed products from the region upstream from the spill point should be safe.

Would you please reach W for the information?

Here is some media coverage about the incident.

<http://www.cnn.com/2015/08/10/us/colorado-epa-mine-river-spill/>

<http://www.cnn.com/2015/08/09/us/colorado-epa-mine-river-spill/>

Best,

SS

This email is UNCLASSIFIED.